

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

CARTRELL R. SMITH SR.,
JASON LUTZ, and
ROBERT ORGAN,

Plaintiffs,

v.

Civ. No. 16-01201 MCA/GJF

CORRECTIONS CORP. OF AMERICA.
TORRANCE COUNTY, and
CHAD MILLER,

Defendants.

**ORDER PROHIBITING CARTRELL R. SMITH SR
FROM REPRESENTING OR FILING ON BEHALF OF OTHER
PLAINTIFFS AND STRIKING NOTICE OF CHANGE OF ADDRESS**

THIS MATTER is before the Court *sua sponte*. Plaintiff Cartrell R. Smith Sr. has been filing documents with the Court in which he purports to be acting as a representative of or on behalf of Plaintiffs Robert Organ and Jason Lutz. A pro se litigant may bring his own claims to federal court without counsel, but may not bring the claims of others or act on behalf of others. Although a pro se litigant has the right to assert his own claims, he cannot represent or act for other plaintiffs because “the competence of a layman is ‘clearly too limited to allow him to risk the rights of others.’ ” *Fymbo v. State Farm Fire and Casualty Co.*, 213 F.3d 1320, 1321 (10th Cir.2000) (quoting *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir.1975)); *see also* 7A Wright & Miller, Federal Practice and Procedure: Civil § 1769. Plaintiff Cartrell R. Smith Sr. is prohibited from representing Robert Organ, Jason Lutz, or any person other than himself, or filing any documents on their behalf in this Court.

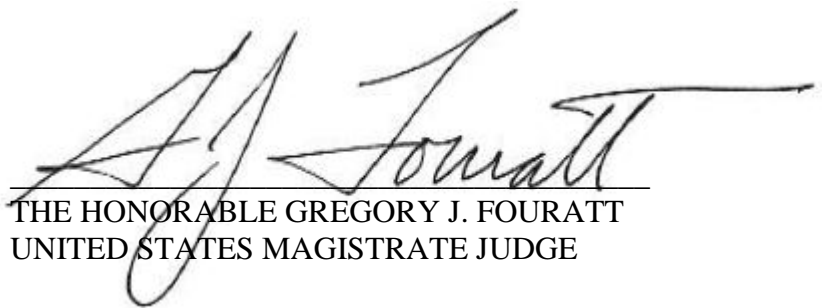
On September 5, 2017, the Court entered an Order directing Plaintiff Robert Organ to provide the Court with an updated address or otherwise show cause why his claims should not be

dismissed. ECF No. 27. On September 27, 2017, Plaintiff Cartrell Smith filed a Notice for Change of Address of Co-Plaintiff Robert Organ. ECF No. 37. The Notice asks the Court to “enter the change of address in behalf of my co-plaintiff to cure my case from dismissal” and is signed by Cartrell R. Smith Sr.. *Id.* at 1. The Order to Show Cause was directed to pro se Plaintiff Robert Organ, and only Plaintiff Robert Organ may respond to that Order. *Fymbo*, 213 F.3d at 1321. The Court will strike the improper Notice for Change of Address of Co-Plaintiff Robert Organ.

IT IS ORDERED:

(1) Plaintiff Cartrell R. Smith Sr. is **PROHIBITED** from representing Robert Organ, Jason Lutz, or any person other than himself, or filing any documents on their behalf in this Court; and

(2) the Notice For Change of Address of Co-Plaintiff Robert Organ (ECF No. 37) is **STRICKEN**.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE